

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Investigation on the Commission's own motion into the San Francisco Airport's refusal to comply with California Public Utilities Code section 99152 and 164-B and order to show cause why the Airport should not be ordered to complete a system safety program plan prior to commencement of the Airport's operations of its AirTrain transportation system.

Investigation 02-07-014  
(Filed July 17, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING  
RESETTING DATES FOR BRIEFS AND HEARING**

The Commission on July 17, 2002, instituted this investigation and order to show cause why San Francisco International Airport (SFO) should not be ordered to complete a system safety program under Commission auspices prior to the start of operations of SFO's AirTrain passenger transportation system.

A hearing has been set for 10 a.m., Monday, July 29, 2002, at the Commission's Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, for SFO, the City and County of San Francisco, the Airport Commission, the Airport Director, AirTrain's consultants, and any other interested party to present evidence and/or argument on the order to show cause. Parties were asked to file and serve briefs on or before July 25, 2002.

By letter dated July 24, 2002, counsel for SFO stated:

In your "Administrative Law Judge's Ruling Requiring Briefs on July 25, 2002" (Filed July 17, 2002), you asked both parties to consider whether each might agree to completion of an interim

system safety program plan (“SSPP”) for the AirTrain, reserve all their respective claims regarding Commission jurisdiction or lack thereof, and defer any decision on the jurisdictional issues to the pending proceeding, Rulemaking (R.) 02-01-009 (“Rulemaking”), in which these issues already have been raised.

In response, counsel for the Commission and the Airport have discussed this possibility. Both counsel believe that it is productive and feasible to develop such an interim SSPP. Accordingly, with the concurrence of Mr. Patrick Berdge, Commission Staff Counsel, I am writing to set forth a joint request of the Commission and the Airport to defer the filing of briefs and a hearing in this Investigation, so that the parties may work together to develop a mutually acceptable interim SSPP.

The parties request that you continue the date to file briefs until August 5, 2002, and reset the hearing to August 7, 2002. In so doing, counsel for both parties respect your obligation to provide a timely decision for Commission consideration, should that prove necessary. The Airport has agreed that it would not commence operations of the AirTrain until after the Commission meeting of August 22, 2002.

For good cause shown, this ruling grants the joint motion of the parties to continue the date to file briefs until August 5, 2002, and to reschedule the hearing to August 7, 2002.

In addition to responding to the questions set forth in the July 17 ruling, parties are asked in their briefs to address what action, if any, is appropriate for the Commission to take prior to start of the AirTrain service. Parties are asked to electronically serve their briefs upon those who request such service, including Administrative Law Judge Walker at [gew@cpuc.ca.gov](mailto:gew@cpuc.ca.gov). Parties other than SFO and Staff may also file briefs on or before August 5, 2002.

**IT IS RULED** that:

1. The date for filing briefs in this proceeding is continued to August 5, 2002.
2. Hearing in this matter is continued to 10 a.m., Wednesday, August 7, 2002, at the Commission's Courtroom Room, State Office Building, 505 Van Ness Avenue, San Francisco.

Dated July 25, 2002, at San Francisco, California.

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/s/ GLEN WALKER  
Glen Walker  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Resetting Dates for Briefs and Hearing on all parties of record in this proceeding or their attorneys of record.

Dated July 25, 2002, at San Francisco, California.

/s/ ERLINDA PULMANO

Erlinda Pulmano

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.